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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,740	09/22/2003	Bret A. Bailey	BOC9-2003-0028 (397)	1890
40987	7590	10/09/2009	EXAMINER	
Novak Druce + Quigg LLP CityPlace Tower, 525 Okeechobee Blvd. Fifteenth-Floor WEST PALM BEACH, FL 33401			TRAN, TUYETLIEN T	
		ART UNIT	PAPER NUMBER	
		2179		
		MAIL DATE		DELIVERY MODE
		10/09/2009		PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/667,740	BAILEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	TUYETLIEN T. TRAN	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 27 July 2009.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-2, 4-8, 28-35 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) \_\_\_\_\_ is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to the following communication: Amendment filed 07/27/09.

**This action is made non-final.**

2. Claims 1, 2, 4-8, 28-35 are pending in the case. Claims 1, 28 and 35 are independent claims.

### **Continued Examination Under 37 CFR 1.114**

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/27/09 has been entered.

### **Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**5. Claims 1, 4-8, 28, 30-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paxhia et. al. (Pub No. 2002/0052935 A1, hereinafter Paxhia) in view of Powers et al. (“IBM Server iSeries System Handbook”, published 09-2002, relevant pages 1-59; hereinafter Powers).**

**As to claim 1,** Paxhia teaches:

A method for configuring Transmission Control Protocol/Internet Protocol (TCP/IP) settings (e.g., see Fig. 3 and [0003], [0041], [0043]; using GUI web browser in the admin server to configure internet settings of another servers), the method comprising the steps of:

providing a computer having only a non-graphical user interface for manually manipulating TCP/IP configuration flat files (e.g., see Fig. 3 and [0005]; using GUI web browser in one server 362 to configure internet setting on another AS/400 server 371; the internet configuration of AS/400 server 371 is known to be performed through a non-graphical user interface as shown in [0005]);

providing a graphical user interface for configuring the TCP/IP settings, the graphical user interface including at least one control (e.g., see Figs. 3, 12,13 and [0041], [0042], [0048], [0065]; web-based GUI is provided in server 362 to configure internet settings on other servers 371);

accessing data contained within at least one configuration flat file containing the TCP/IP settings for said computer (e.g., read current settings from the configuration file, see [0042], [0051]; note that current settings also includes TCP/IP settings as shown in Figs. 12, 13);

displaying the TCP/IP settings based upon said accessed data within said graphical user interface (e.g., build configuration pages filled in with the settings from the configuration file, see [0051] and Figs. 11-13); and

altering one or more of said displayed TCP/IP settings using said at least one control in the graphical user interface (e.g., read the values contained in the configuration pages and write those values out to the configuration file, see [0051] and Fig. 11, Fig. 12);

updating the at least one configuration flat file according to the altered TCP/IP settings (e.g., see Fig. 2 and [0041], [0042], [0051]; the GUI is used to modify configuration file 314 or instance file 318);

While Paxhia teaches using the web-based GUI to configure internet settings for iSeries servers, Paxhia does not teach integrating the graphical user interface into the non-graphical user interface.

In the same field of internet configuration on iSeries, Powers teaches an iSeries computer having OS/400 operating system having integrated features such as Advanced GUI used for set up TCP/IP function (e.g., see pages 473-474 - 'Base OS/400'). Powers teaches integrating the graphical user interface into a non-graphical user interface (e.g., see pages 597-598; TCP/IP networking on iSeries is administered and managed directly from iSeries Navigator running on a PC client; iSeries TCP/IP configuration can be managed through graphical user interfaces integrated with iSeries Navigator).

Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have modify the network configuration system of Paxhia to include the feature of integrating the graphical user interface into a non-graphical user interface to achieve the claimed invention. As suggested by Powers, one would be motivated to make such a combination is to provide an easy-to-use graphical interface to configure TCP/IP settings on an iSeries computer (e.g., see page 496; pages 1-6).

**As to claim 28**, claim 28 reflects a computer-readable storage having stored thereon, a computer program having a plurality of code sections, said code sections executed by a

computer for causing the computer to perform the steps as claimed in claim 1 (e.g., see [0018], [0065], and page 25 lines 7-11), and therefor is rejected along the same rationale.

**As to claim 35**, claim 35 reflects a system for implementing the steps as claimed in claim 1 (e.g., see [0018], [0065], and page 25 lines 7-11), and therefor is rejected along the same rationale.

**As to claims 4 and 30**, Powers teaches integrating said graphical user interface with an interface component of an operating system of a computer (e.g., see pages 473-474 - 'Base OS/400'). Thus, combining Powers and Paxhia would meet the claimed limitations for the same reasons as set forth in the foregoing rejection of claim 1.

**As to claims 5 and 31**, Paxhia further teaches displaying help relating to configuring TCP/IP communication settings of said computer within said graphic user interface (e.g., see [0047], [0048], Figs. 11-13).

**As to claims 6 and 32**, Paxhia further teaches:

providing a selection list within said graphical user interface, said selection list including a multitude of user-selectable settings for at least one configuration parameter of said configuration flat file (e.g., see [0051] and Fig. 11); and  
updating said configuration parameter responsive to a selection within said selection list (e.g., read the values contained in the configuration pages and write those values out to the configuration file, see [0051] and Fig. 13).

**As to claims 7 and 33**, Paxhia further teaches synchronizing multiple ones of said at least one configuration file using said graphical user interface (e.g., read current settings from

the configuration file and build configuration pages filled in with those settings, see [0051] and Fig. 11).

**As to claims 8 and 34**, Paxhia further teaches checking a validity of at least one parameter stored within said configuration flat file using said graphical user interface (e.g., see [0050]).

**6. Claims 2 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paxhia in view of Powers further in view of Spiegel et al. (Pub No US 20030055863 A1, hereinafter Spiegel).**

**As to claims 2 and 29**, Paxhia and Powers teach the limitations of claims 1 and 28 for the same reasons as set forth in the foregoing rejection of claims 1 and 28. Powers teaches that the graphical user interface is configured for OS/400 operating system wherein the OS/400 is a 64-bit operating system (e.g., see page. 473; 'Base OS/400'); therefore, it appears that Paxhia and Powers in combination teaches the graphical user interface is configured for at least one of a 32-bit multiple virtual storage operating system and a 64-bit multiple virtual storage operating system. Even if they do not, this deficiency is disclosed by Spiegel wherein Spiegel teaches a method and apparatus for managing a resource in an information handling system particularly for a computer having a z/architecture in which a user interface is provided for an operator to configure and manage the resource in the computer (e.g., see [0009], [0012], and [0030], [0031]). Spiegel teaches the graphical user interface is configured for at least one of a 32-bit multiple virtual storage operating system and a 64-bit multiple virtual storage operating system (e.g., see [0031]).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the internet connection configuration graphical user interface as

taught by Paxhia and Powers to the configuration graphical user interface that can be applied to a zSeries server as taught by Speigel to achieve the capability to graphically configure internet connection on a computer having only a non-graphical user interface for manually manipulating TCP/IP configuration files. The motivation to combine the teachings of Paxhia, Powers and Speigel is to allow easy manipulation of parameters such as IP address, network address, as well as name server and because Paxhia suggests to the skilled artisan that a graphical user interface presents to a user a much more user-friendly interface than non-graphical user interface (e.g., see Paxhia [0005]).

### **Response to Arguments**

7. Applicant's arguments filed 7/27/09 have been fully considered but are moot in view of new ground of rejection.

### **Conclusion**

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275,277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. T. T./  
Examiner, Art Unit 2179

/Weilun Lo/  
Supervisory Patent Examiner, Art Unit 2179